



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANGEL MORENO et al,

Plaintiffs,

- against -

CITY OF NEW YORK et al,

Defendants.  
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22-CV-3358 (RWL)

**ORDER ON SETTLEMENT**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

Before the Court is the Parties' joint request that the Court approve their settlement agreement in this case (the "Settlement Agreement"), a fully executed copy of which was submitted on February 14, 2023 (Dkt. 42-1). This case is an action for money damages under the Fair Labor Standards Act of 1938, 29 U.S.C. § 201 *et seq.* ("FLSA").

A federal court is obligated to determine whether settlement of an FLSA case under the court's consideration is fair and reasonable and the subject of an arms-length negotiation, not an employer's overreaching. *See Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015).

The Court has carefully reviewed the Settlement Agreement as well as the Parties' thorough letter addressing whether the Settlement Agreement is fair and reasonable. The Court also has taken into account, without limitation, all prior proceedings in this action; the attendant risks, burdens, and costs associated with continuing the action; the range of possible recovery; whether the Settlement Agreement is the product of arm's length bargaining between experienced counsel or parties; the possibility of fraud or collusion; and the reasonableness of the attorneys' fees to be paid.

Considering all the circumstances, the Court finds that the Settlement Agreement is fair and reasonable and hereby is approved. The Clerk of Court is directed to close this case.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: February 14, 2023  
New York, New York

Copies transmitted to all counsel of record.